IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20394 of 2004

Between:

Md. K. Ali, S/o Ghousuddin,
APSRTC, Karimnagar Depot, Karimnagar District.

..... PETITIONER

AND

The Depot Manager, A.P. State Road Transport Corporation,
Karimnagar Depot, Karimnagar District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or directions, more in the nature of Writ of Mandamus declaring the Suspension Order No. 02/95(61)/2004-KR-I dated 27-10-2004 as illegal and arbitrary and set aside the same with all consequential benefits.

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondent : SMT.P.RAJANI REDDY

The Court, at the stage of admission, made the following :

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ORAL ORDER

The petitioner is working as a driver in the respondent-Corporation. He was charge sheeted for cash and ticket irregularity and was kept under suspension through the proceedings on 27-10-2004. The petitioner, being aggrieved by the order of the suspension, approached this Court through this writ petition seeking to declare that the order of suspension dated 27-10-04 is illegal and arbitrary and to set aside the same with consequential benefits. Though the petitioner contended that he did not commit any dereliction of duty as contended by the respondent, he did not point out any procedural irregularity in the process of the order of suspension. Therefore, this Court will not interfere with the order of suspension during the pendency of enquiry. Since the petitioner is contending that the concerned authority did not consider the circumstances explained him, he is at liberty to make an application to the respondent and after receipt of such representation, the respondent shall examine the matter by perusing all the relevant papers and consider whether the request of the petitioner, to revoke the suspension, can be accepted and pass appropriate orders. The petitioner is directed to submit his explanation to the charge memo and the respondent is directed to expedite the enquiry.

Accordingly, the writ petition is disposed of. No order as to costs.

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Dr.G.YETHIRAJULU,J

19th NOVEMBER 2004

*TSNR

TO

1. The Depot Manager, A.P. State Road Transport Corporation,
Karimnagar Depot, Karimnagar District.

2. Two C.D.Copies.